



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Electro-Methods, Inc.

**File:** B-239141

**Date:** June 1, 1990

Paul J. Seidman, Esq., Seidman & Associates, P.C., for the protester.

Janice S. Holm, for Pratt & Whitney, an interested party.

Gregory H. Petkoff, Esq., and Paul S. Davison, Esq.,

Department of the Air Force, for the agency.

Susan K. McAuliffe, Esq., and Michael R. Golden, Esq.,  
Office of the General Counsel, GAO, participated in the  
preparation of the decision.

### DIGEST

Protest is dismissed where allegation that proposed sole-source award for jet engine modification kits is improper is under review by the agency's Inspector General and where agency has not yet executed justification and approval for sole-source award, subject to the protester's right to reinstate the protest later.

### DECISION

Electro-Methods, Inc., has filed a protest against request for proposals (RFP) No. F41608-90-R-72838, issued by the Department of the Air Force for jet engine modification kits. Electro-Methods protests the agency's proposed sole-source award of a contract under the RFP to Pratt & Whitney, the only approved source for the kits, as unduly restrictive of competition. The protester asserts that the individual components of the kit should be procured competitively, and that the solicitation is defective for failing to include complete technical drawings and specifications for each of the approximately 900 parts which make up the kits.

The agency disagrees with the protester. However, we have been informed by the Department of Defense (DOD) Inspector General that the protester's allegations concerning the alleged restrictiveness of the RFP are under review by that Office. The Inspector General has initiated an audit in response to a "DOD Hotline" allegation concerning the alleged "restrictive and uneconomical" nature of this

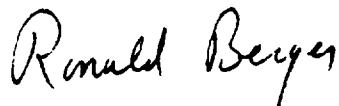
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procurement. The stated objective of this investigation is to evaluate the propriety of the alleged restrictive procurement of kits and related services from a prime contractor by the Air Force in light of the fact that some components in the kits had previously been competitively procured from other contractors. The Inspector General's office expects the results of its preliminary investigation to be released within the next 2 months, or shortly thereafter, and has requested the Air Force to delay the award pending the Inspector General's assessment. We also note that the required justification and approval for the proposed sole-source award has not been executed, and that the Air Force will not proceed until that document is executed.

In view of these circumstances, it appears that the Air Force has not made a final decision on the propriety of proceeding with the procurement. The Air Force has assured our Office that it will release to the parties a copy of the necessary justification if and when it is signed and executed by the proper agency official. Accordingly, we believe the appropriate course of action at this point is to close our file on Electro-Method's protest pending a final Air Force decision on whether to proceed with the acquisition. See Institutional Communications Co., B-233058.2, Oct. 23, 1989, 89-2 CPD ¶ 368. Upon receipt of either the executed sole-source documentation or audit results, the protester may reinstate its protest if that action seems warranted.

The protest is dismissed.



Ronald Berger  
Associate General Counsel